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No. 1904



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CRIME OF SABOTAGE ACCORDING TO PENAL CODE

Tirana DREJTESIA POPULLORE in Albanian No 1, Jan-Mar 81 pp 13-22

[Article by Ali Zanko: "The Crime of Sabotage According to the Penal Code"]

[Text] The People's Socialist Republic of Albania is today the sole country in the world which develops and defends through proletarian faithfulness socialist construction and the dictatorship of the proletariat. The great revolutionary transformations and the magnificent victories attained in the socialist construction of our country under the conditions of fierce encirclement and allround imperialist-revisionist blockade, have always infuriated our enemies, for whom socialist Albania has always been and will remain a stumbling bloc, this shining beacon of socialism and magnificent example which is proof of what a people, no matter how small it may be, can accomplish when it is led by a truly Marxist-Leninist party, by the ideology of the working class--victorious Marxism-Leninism, and when it relies on its own forces.

The imperialist-revisionist enemies, by relying on the remnants of the former exploiting classes in our country and on the new bourgeois elements who turn into counterrevolutionaries under the pressure of the bourgeois-revisionist ideology, have always carried out broad hostile activity, under the most varied forms, to weaken and undermine the dictatorship of the proletariat and its leading force, the AWP, which represents the most concentrated and highest expression of the leading role of the working class and the primary subjective factor to complete the revolutionary program of the socialist construction of the country.

One of the concrete forms of this hostile activity which has been practiced by our internal and external enemies is also sabotage. Thus, all the hostile groups which were uncovered, especially during the recent years in the military, in the field of state administration and economic management, in the fields of arts and culture and so forth, tried to realize their hostile objectives entirely through sabotage in the various spheres of our political, ideological, military, economic and administrative life.

This did not happen by coincidence. Our Workers Party has made it quite clear to us that all these enemies practiced this concrete form of their activity in organizational and coordinating unity with the external imperialist-revisionist enemies for the following reasons: First, because sabotage is appropriate to all situations which arise within the country and in the international arena and is

preferred especially today by enemies who can no longer operate overtly. Second, because sabotage can hide behind revolutionary statements and slogans, can be realized by deliberately misinterpreting and distorting party directives, the decisions of its Central Committee, of the Council of Ministers and others. Third, because sabotage is a crime committed against the state with great damages and other serious consequences and which is difficult to uncover, is not always easy to detect, and often its consequences develop slowly and are not immediately understood. Four, because sabotage, objectively seen, can be carried out in the same way as some other criminal acts (such as appropriation or willful damage of socialist wealth, misprision of duty, and so forth) and this characteristic of sabotage creates favorable conditions for its perpetrators to conceal their true enemy face.

The crime of sabotage reflects a special form of the class struggle and is proof of the existence of this struggle. It aims at weakening or undermining the activity of the state and of the AWP, the socialist economy (state or cooperativist), the state and social organization and management of various sectors, to achieve, in the final analysis, the overthrow of the people's authority and the reestablishment of the capitalist, bourgeois-revisionist authority, the reestablishment of the authority of the exploiting minority. Since it tries to upset social relations which are of special importance, sabotage is an extremely dangerous crime.

In their struggle against the people's authority, the enemies have used all forms of sabotage, and these forms have not remained the same, but have been altered and have been perfected in a dynamic manner by adjusting to situations and circumstances. There was, for example, a great difference between the forms and methods used by the saboteurs of the Maliq swamps (in which were implicated some of the technicians and engineers employed in the reclamation of this swamp in 1945) and the forms and methods used in 1950 by the agents and the saboteurs headed by the spy of the Yugoslav revisionist clique, F. Dvorani. These differences are even more striking when comparing the above-mentioned cases with the forms and methods used by the enemies and the saboteurs who were discovered, unmasked and tried during the past few years by our party and people.

During the years of the National Liberation Movement (when the hostile sabotaging activity got its start) and during the immediate post-liberation period of the country, the enemies directed the sabotage acts against the struggle and the economy which served as its basis, against the implementation of the measures of the people's authority to provide housing for the people and to rebuild the roads, bridges, sawmills and so forth, burnt and destroyed by the enemy. Latter, the saboteurs covered the defects and damages which they were supposed to repair, delayed the reactivation of machines, completed defective installations and carried out unnecessary repairs, damaged machinery and so forth. Alleged "objective reasons," "lack of skilled technical cadres," and so forth, are the "justifications" which they used for these sabotages. In the villages, these enemies tried to infiltrate the people's councils and the Agrarian Reform Committees to hinder and to slander this reform launched hostile slogans, such as, "we lack tools to toil the land," "we will pay a lot of taxes," "let us sell the grain on the market instead of supplying it to the state," and the like. Later, the enemies tried to hinder the introduction of new agrotechnical methods in agriculture, work according to plan, the planting of industrial crops, tried to hinder the collectivization of agriculture, the construction of social-cultural projects in the countryside and the implementation of other measures to narrow the fundamental differences

between the countryside and the city, and up to the herding together of live-stock.

Following the strengthening and consolidation of the people's authority, the enemies were forced to take better cover and be more careful. By using the leadership positions which they from time occupied in the party and administration, they carried their sabotage activity into the most sensitive sectors of the country's life. This was also the objective of their action or inaction regarding the weakening and undermining of the leading role of the party in the state and in the society, the distortion and nonimplementation of decisions, of its directives and orientations, the attempt to introduce the revisionist self-management method in the management of the economy, the weakening of the class struggle, the introduction of the foreign bourgeois-revisionist literature, the expansion of the organs of the apparatuses with personnel and of the production sectors with excess workers, the establishment of new unnecessary production lines and units, limiting the supplying of the countryside with the planned necessary materials and so forth. And all these hostile sabotage activities they tried to justify and to conceal through the alleged creative implementation of party decisions, directives and orientations, with the need to "break" the imperialist-revisionist blockade and encirclement and through similar statements.

It is necessary to examine and study the hostile sabotage activity in its dynamic and historical development, by keeping in mind that at present, under the conditions of the strengthening and consolidation of the people's authority, the external enemies and, together with them, the internal enemies, defeated and routed, do not come out with sword in the hand, they are forced to take cover, to seek and to use new and more refined methods, to sabotage, to weaken or undermine the life of the state and of the AWP, the socialist economy, our state and social organization and leadership, i.e., to strike at the most sensitive parts of the people's authority of the proletarian dictatorship and to overthrow it. But one should also not forget that, in their persistent attempts to realize their hostile aims against our country, the enemies, in the future too, may draw from their arsenal the old forms and methods of sabotage activity and try to put them into practice.

By generalizing the revolutionary experience of the class struggle carried out against the hostile sabotage activity, the Penal Code of the People's Socialist Republic of Albania makes a full, precise and scientific definition of the objective aspect of the act of the crime of sabotage. According to Art 53 of the Penal Code, sabotage is considered not only action or inaction which aims at undermining the various branches of the socialist economy, of the monetary and credit system or of the state activity (as stipulated by Art 72 of the previous Penal Code), but also "the action or inaction to weaken or undermine...the activity of the Albanian Workers Party,...the state and social organization and leadership."

This definition of the objective aspect of the act of the crime of sabotage must not be considered as a fundamental change, as a new and different position from the previous code. The positions and considerations about this aspect of the act of the crime of sabotage have been and remain unique, unchangeable: they are laws, expressions and a concentrated reflection of the policy of our party and

state. The legislation has neither sought nor marched on some new path and in violation to the legal dispositions. The new Penal Code of the People's Socialist Republic of Albania, by generalizing this practice as was noted, only made a more scientific concretization of the objective aspect of the act of the crime of sabotage. Only in this way must be understood the assertion that Art 53 of the code "broadened the meaning of sabotage" ("Materials About the Implementation of the Penal Code of the People's Socialist Republic of Albania," published by the Supreme Court, Tirana, 1977, p 14). In fact, our legislative literature has long ago made it clear that sabotage can be applied not only to the sector of the socialist economy but also to the other fields of state endeavor: for example, in education, culture and arts, in the training of cadres, in the state or party apparatus (S. Begeja, "Sabotage," article published in DREJTESIA POPULLORE, 1953, No 3). In the same manner, our legislation has considered as an act of sabotage, any action or inaction directed against the main leading orientations and directives of our party and state in the political, ideological, economic, military, organizational and other fields, of course, always when the action or inaction has had the specific hostile objective of hindering the implementation of these orientations and directives, distorting and deliberately executing them against the interests of revolution and socialism in our country.

Under "sabotage of state activity," according to Art 53 of the Penal Code, are understood criminal actions or inactions which hinder the normal function of our socialist state and fulfillment of its actual tasks in the various fields of endeavor which it manages and controls. These are, for example, the issuing of various sublaws (rules, regulations, and so forth) not according to and for the implementation of state laws, but with counterrevolutionary intent, in violation of these laws or in opposition to them, the violation of laws and the action against them, or the denial of the fundamental rights of citizens by those who hold responsible positions in the party and state to create dissatisfaction in the masses or individuals and so forth.

Under "sabotage of the activity of the Albanian Workers Party," according to the above-mentioned disposition of the Penal Code, is understood the action or inaction to weaken or undermine the leading, directing and controlling role of the party in the state and in the society. These are the actions which are in opposition to the decisions, and its directives and orientations, the substituting of the leading role of the basic party organizations and of its other leading organs, the attack of the party line with regard to the role of the masses and the role of worker's control, with regard to the full emancipation of women, the elimination of the fundamental differences between the countryside and the city, the violation of the party's fundamental principles concerning cadre policy and so forth. A special aspect of the sabotage of the activity of the AWP is the opposition of its ideology and of the working class, Marxism-Leninism, through various forms and ways, in order to spread the bourgeois-revisionist ideology among the masses, to spread the liberal bourgeois-revisionist views about the class struggle, about the dictatorship of the proletariat, about the alliance between the working class and the cooperativist peasantry and so forth.

In the same manner, under "sabotage of the socialist economy," we understand the action or inaction to weaken or undermine this economy, to destroy or damage industry, agricultural, state and cooperativist economy, socialist trade and other

sectors of the economy, the monetary and credit system, the action or inaction to hinder the fulfillment of the state economic plans, and so forth.

Finally, under "sabotage in the field of state and social organization and management," according to Art 53 of the Penal Code, we understand the action or inaction which aims at weakening or undermining the organizational forms of our state of the dictatorship of the proletariat, the substitution of the socialist content of these forms with a bourgeois-revisionist content; we understand the action or inaction which aims at creating organizational links which undermine the principle of democratic centralism and open the road to revisionist self-management, which aims at hindering the regular and normal activity of the social organizations through nonfulfillment of their tasks or through their poor fulfillment.

The subject of the crime of sabotage can be any person: Albanian citizen, foreign citizen or a stateless person. The case cannot be excluded when the sabotage is carried out by persons who hold directing functions and duties in the party and in the state. But in some instances, the sabotage has also been carried out by other persons, class enemies, former landowners, expropriated owners of factories and other wealth, former functionaries and reactionary representatives of the intelligentsia of the antipeople's regimes in our country. Their criminal activity, as a rule, has been inspired and directed by foreign imperialist-revisionist enemies who have been and are ready to keep alive and to help the internal enemies fulfill their dream of overthrowing the people's authority. Also, in quite a few other instances, the elements infiltrated as agents in our country have also followed up their hostile activity with concrete sabotage.

From the subjective point of view, the crime of sabotage is carried out with counterrevolutionary intent. This means that the subject carries out its actions or inactions fully aware that he is damaging or undermining the activity of the state and of the AWP, the socialist economy, the state and social organization and leadership. Our Penal Code excludes in an unequivocal manner the possibility of carrying out the crime of sabotage through carelessness. Therefore, the main criterion which helps us determine, from the subjective point of view, the existence of the crime of sabotage, is to discover and confirm the counterrevolutionary intent in the actions or inactions of the subject.

From the viewpoint of the characteristics which the discovery and the confirmation of the counterrevolutionary intent provides for every concrete case, the following forms may come in question:

1. When all the actions or inactions of the subject enable us to easily conclude the existence of its counterrevolutionary intent. For example, the subject, by taking advantage of its position, incites and orders the weakening of the military capacity of one or another structure of our armed forces, incites and orders the exploitation of oil- and gas-bearing sources above the allowed technical quotas by causing their untimely inundation, and so forth. But such instances (when the counterrevolutionary intent is proven or becomes clear) are rare in practice.
2. When the subject, along with the commission of other crimes against the state, also commits sabotage actions or inactions which at first appear to be simple, nonhostile criminal actions (for example, misuse of functions or careless attitude

at work, appropriation of or destruction and damaging of socialist wealth). One encounters such cases more frequently in practice. Of course, when the predisposition or hostile aim of the subject of these actions is uncovered and unmasked, it is relatively easy, simultaneously with this predisposition or aim, for the counterrevolutionary intent of the crime of sabotage to be disclosed and proven as well.

3. When the subject acts and leaves no traces of sabotage behind, when its action or inaction appears more as a misuse of function, as an appropriation or damage of socialist wealth, as a simple violation of the equality of citizens or of the rights of workers and so forth. In such cases, the evidence of the counterrevolutionary intent of the subject presents some problems. In consideration must be taken also above all, the concrete activity itself committed by the subject: Is it one of major proportions, has it been carried out extensively and with serious consequences, totally unjustified and unacceptable, or is it a limited action, within bounds, which can be considered, however little, justifiable and unacceptable? Secondly, the personality of the subject of this action himself must be taken into consideration, what is his attitude toward the people's authority, toward revolution and socialism, what is his past and his present, his social circle, his behavior at work and in society? Therefore, in these cases, in order to establish the counterrevolutionary intent of the subject, it is of great importance to reveal the nature and the form of the entire concrete criminal action and its authorship (that is, the subject). Both aspects of this problem must be objectively analyzed, assessed jointly and through mutual reliance and also with the other elements of the author of the crime of sabotage, in order to establish correctly whether we are dealing with this crime or with another similar criminal act which is not directed against the state.

Nevertheless, in any given case, the proof of the entire framework of the illegal action of the subject, the establishment of the motives and objectives from which he sets out for this action and the thorough knowledge of his personality, are essential factors to arrive at the right conclusion about the existence or non-existence of the counterrevolutionary intent of the subject.

The crime of sabotage, as it concerns the object which it affects, the objective aspect of the subject, is similar to the crime of diversion, in accordance to Art 52 of the Penal Code. This is so, because in both of these crimes, through his actions or inactions, the subject aims at weakening or undermining the people's authority, he is thus led by counterrevolutionary intent and aims at affecting the same social relation.

But despite their similarity, these two crimes have a number of characteristics which distinguish them and which must be sought in their objectivity.

Thus, the crime of sabotage is carried out either through action or inaction. This crime can be carried out through inaction especially in cases when the subject is charged with state and social functions and duties. (What the nature of these actions or inactions may be in this case, was mentioned earlier). Different from the crime of sabotage, the crime of diversion is carried out only through actions which are presented in the form of the destruction or damage of socialist wealth through explosions, fire or other means, in the form of poisonings, the spreading of epidemic epizootic diseases and in other similar forms.

As a rule, in order to carry out the crime of sabotage, its subjects misuse the invested task or function through counterrevolutionary intent, do not carry out activities or tasks which they are empowered to do, or carry them out poorly, whereas diversion can be carried out by any citizens regardless of his functions.

The consequences of the crime of sabotage are not immediately productive, they develop slowly and in a concealed manner. Thus, for example, when no measures are taken to provide a timely supply of food products for the population of zones which are isolated during the winter, the concrete consequences of this action are not immediate; the consequences appear latter, at a time when the lack of food products during the winter isolation will be felt. Whereas, a characteristic of the crime of diversion is that the consequences of the criminal activities are evident and occur immediately on the spot (for example, blowing up of a plant or of a combine following arson, train crash and the causing of many victims immediately following derailment, mass poisoning of people and animals following the poisoning of drinking water, and so forth). This is also one of the reasons that whereas in the crime of diversion, if the act is to be considered completed, a harmful material damage is necessary, otherwise it is considered as planned or an act of intent; in the crime of sabotage it is not necessary to have a material consequence in order to consider the crime as completed. (And, when we talk about "material consequences," the narrow meaning of these consequences is meant, since actually during every phase of the criminal action we encounter criminal consequences in the broader meaning of this word, that is, we are dealing with the violation of an important social relation protected by penal dispositions).

Finally, in the case of diversion, a physical action is carried out against the object itself, whereas during sabotage this does not happen. This means that in the crime of diversion the subject prepares, tries or causes effectively explosions, fire, destruction or damage in a factory, plant, power station or other object of the socialist economy, poisons or spreads epidemic epizootic diseases through the poisoning of drinking water, the infection of foods through germs, and so forth. Whereas in the crime of sabotage, even in the case when this action is carried out, it is not directed directly against the object itself. For example, when the subject brings into the state apparatus hostile elements, degenerates, servile and incompetent elements, hinders the fulfillment of the state plan and so forth, his action is not directed against any concrete and materialized object (in the narrow meaning of the word) but represents an action with a long-range fixed hostile objective.

The crime of sabotage, especially when it is carried out by persons with party and state official functions, is similar to that of the misprision of duty, according to Art 106 of the Penal Code. In order to make a distinction between them, we must set out from the subjective aspect of these two crimes, we must solve correctly the aim and purpose of the concrete action of the subject. As we have pointed out, the crime of sabotage is considered such when the counterrevolutionary intent of the subject is to weaken or undermine the activity of the state or the AWP, the socialist economy, the state and social organization and leadership. Whereas, in the crime of misuse such an intent does not have to exist. The acknowledgment of this main distinguishing criterion between the crime of sabotage and that of the misprision of duty, is a question of fact which is solved in regard to any given concrete case. Thus for example, illegal actions or inactions

deliberately carried out by the enemy, although in appearance they may seem to be forms of misprision of duty on its part, are qualified as sabotage according to Art 53 of the Penal Code. Or, when a person carries out espionage or incites and propagandizes against the state and, at the same time or later, carries out deliberate actions which are in violation of the regular fulfillment of state and social duties, actions which have resulted, or it was known might result, in grave consequences for the interests of the state or of the society, then these final actions are considered sabotage and not misprision of duty. Also, when the same author of the penal contravention acts in a case with counterrevolutionary intent in order to weaken and undermine the activity of the state and of the AWP, his later actions (which in appearance may seem to be misprision of duty) are in fact a continuation of the former criminal counterrevolutionary activity. In the final analysis, it must be kept in mind that the same author for the same period and on the same issue cannot be responsible for both sabotage and misprision of duty. In cases of those which we mentioned, the subjective aspect of the author cannot be divided in counterrevolutionary and noncounterrevolutionary intents, since all the actions are carried out by the author who is led by the same hostile objective.

But special instances are not excluded when the crime of sabotage may occur hand in hand with the crime of misprision. For example, a person initially misuses his functions and, after this, proceeds openly to hostile positions against the party and the people's authority, carries out agitation and propaganda against the state without interrupting his initial activity in violation to his official function. In such case we think that this person, among other things, must be responsible both for the crime of sabotage and for that of the misprision of duties, that is, for both crimes.

The plenum directive of the Supreme Court, notes that criminal acts, such as, a large amount of appropriation of socialist wealth, deliberate damage to this wealth when the consequences are grave, when they are simultaneously followed up with broad agitation and propaganda against the state, must be qualified as sabotage, because the hostile element who aims at weakening or undermining the state of the dictatorship of the proletariat and concurrently also carries out these criminal acts of extreme social threat, sets out from the same criminal thinking as the resulting consequence.

It must furthermore be kept in mind that we are not talking here about qualifying as sabotage the appropriation of socialist wealth in negligible value, or the deliberate damaging of this wealth with negligible consequences (for example, the deliberate appropriation or damaging of one quintal of wheat, of 30 kg of iron and so forth). It is true that the enemy remains always an enemy, remains such also when he steals from or damages the socialist wealth; but this fact should not be absolutized and, on this basis, to consider as sabotage the deliberate appropriation and damage of socialist wealth in very insignificant amounts, as long as it is understood that such an exception is never able to weaken or undermine our socialist economy. On the other hand, for the criminal act of appropriation of socialist wealth in great proportions or the deliberate damaging of this wealth with grave consequences to be considered sabotage, it is necessary for these actions to have been carried out by an element hostile to our party and people's authority. Although in the above-mentioned directive it is required

that these actions "be simultaneously accompanied with broad agitation and propaganda against the state" by the subject, nevertheless, this requirement must be understood in its wider meaning: that is, here we are also talking about cases when these actions are accompanied by other crimes against the state by the subject (and not only "through broad agitation and propaganda against the state").

Distinguishing among cases as to when the criminal contraventions in question must be considered sabotage and when not, is a question of fact which is solved separately by taking into consideration a series of circumstances. But in this case too, in order to be able to make this distinction, the mentioned criteria must be applied in connection with the distinction of the crime and of sabotage from that of misprision of duty.

When the person, along with the crime of sabotage, also commits other crimes against the state without the elements of the crime of sabotage, as for example, betrayal of the country, agitation and propaganda, diversion and so forth, then we will have simultaneous crimes. Therefore, sabotage concurs with all the other crimes against the state, in the same manner that these latter concur with one another when anyone of these crimes, taken separately, is not a necessary element for the other crime. This position has also been maintained by our legislative practice so far.

Also, the crime of sabotage is similar to that of failure to report a crime against the state, according to Para II of Art 112 of the Penal Code, in all those cases when the subject (in addition to the crime of sabotage committed by him) has been notified also about the committing of another crime mentioned by the above-quoted disposition of the Penal Code. For example, when a citizen commits the crime of sabotage and, at the same time, he is notified that another has committed the crime of diversion, in this case, the first is responsible [to inform the authorities?] according to Art 52 and 112 of the Penal Code (simultaneous crimes).

Undoubtedly there will be sabotage as long as the class struggle exists, as long as the fierce imperialist-revisionist enemy element exists, an element which unavoidably cause the birth of crimes against the state. Therefore, we must uphold and strengthen revolutionary vigilance, we must improve the preventive struggle against these crimes. In order to carry out as correctly as possible these tasks, every worker of our organs, every judge, attorney and investigator, must constantly raise his ideopolitical skills, must maintain against the enemies an irreconcilable and clear class position, know and live with the teachings of our party and of Comrade Enver, with the situations under which our people is building and defending socialism, raise high the revolutionary inspiration at work and improve his professional skills.

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TRADE UNION ACTIVITY PLAN TO SUPPORT PARTY POLICY

Prague NOVINY VNITRNIHO OBCHODU in Czech 10 Jun 81 supplement PLAN ACTIVITY pp 1-8

[Article: "Activity Plan of the Revolutionary Trade Union Movement from the 16th CPCZ Congress to the 10th All-Union Congress"]

[Text] The 16th CPCZ Congress has formulated goals based on the general policy of constructing a developed socialist society under current conditions. It adopted a program to further the development of socialism in our country, its socialist economy, and the maintenance and improvement of the living standard, consolidating the social and living security of the workers and the firm adherence of Czechoslovakia to the community of socialist countries, primarily, of course, to the Soviet Union.

It is a program which expresses the basic interests of Czechoslovak workers and therefore it has also become the action program of the Revolutionary Trade Union Movement [ROM] which fully subscribes to joint responsibility for its implementation. It will be carried out under difficult internal and external conditions which place greater demands on every member of our socialist society and call for resourceful and creative approaches to achieve the goals, especially in the national economy. This quite naturally means higher demands also on the activity of the ROM, all trade union bodies and every basic union organization.

In evaluating the work of the ROM at the 16th CPCZ Congress, we are motivated to further accelerate the effectiveness of union work, persuade workers to participate creatively and actively in meeting the goals of socialist development and take up more decisive viewpoints and basic positions in the struggle for societywide interests and needs, especially in the development of the national economy. But we must also meet the legitimate needs of the workers and help eliminate shortcomings in services, in the working and living conditions of the people so that, by visibly associating educational work with life we can intensify the socialist ideological involvement of the workers and more comprehensively develop the international activity of the trade unions.

Consequently, in the forthcoming period all basic organizations will concentrate on the following tasks under the motto "Implementing the conclusions of the 16th CPCZ Congress on the eve of the 10th All-Union Congress":

Prevailing on Trade Union Members to Participate Actively in Fulfilling the Program of the 16th CPCZ Congress, to Develop and Consolidate Socialist Democracy

For the purpose of developing and applying the creative forces of the laboring class and other workers, furthering their participation in political and social life, in the management of production and administration of the state, in intensifying and improving socialist democracy, the following must be done:

1. Workers must be persuaded to actively participate in carrying out the resolutions of the 16th CPCZ Congress. They must become fully acquainted with the "Report on Activity of the Party and Developments of Society Since the 15th CPCZ Congress and Other Goals of the Party" and the "Report on Main Directions of Economic and Social Development in the CSSR between 1981 and 1985." To explain these documents, make use of all union gatherings, particularly membership meetings, discussions, deliberations and aktive of officials, conferences, seminars, meetings of union bodies at all levels as well as union training sessions.

Trade union bodies and organizations will actively participate in elections to representative bodies, in preparing and carrying out election programs of the National Front. They will develop mass political and propaganda work for electing candidates to the National Front, provide full support to elected union deputies in the course of their entire official tenure, create conditions to regularly inform worker collectives of their activities in representative bodies and implement their legitimate proposals, suggestions and initiatives.

As an established method of work, regular joint consultations will be instituted between union, state and industrial bodies in all plants and enterprises and at every worksite for the purpose of adopting uniform procedures in carrying out the tasks and settling problems issuing from the "Main Directions of Economic and Social Development in the CSSR between 1981 and 1985" under the specific conditions of workites, plants, enterprises, localities and districts.

II

To Increase the Participation of Trade Unions in Meeting the Urgent Tasks of the Seventh Five-Year Plan

Implementing the urgent economic tasks issuing from the Main Directions of Economic and Social Development in the CSSR between 1981 and 1985--approved by the 16th CPCZ Congress--is based on the development of broad initiatives and further intensification of worker participation in production management. Consistent with the implementation of the Set of Measures for Improving the Planned Management System it will be necessary to increase the effectiveness of proven as well as new forms of economic activity of collectives and individuals, particularly in socialist competition, the invention and improvement program, brigades of socialist labor and comprehensive efficiency brigades, to implement counterplanning, extend and improve the system of production conferences and consistently fulfill collective agreements and pledges made in honor of the 16th CPCZ Congress.

This calls for the following in cooperation with industrial management:

1. Actively take part in carrying out the economic plan for 1981 for all indicators, in every organization and at every worksite. For this purpose develop a broad program of socialist pledging for the 10th All-Union Congress.
2. Systematically work on improving the quality of goods and services, see that a greater share of production consists of new, technically advanced products, that a greater proportion of products is rated first quality and see that prompt operational service is available.
3. Devote increased attention to deliveries for export being of proper composition and variety as well as to capital construction.
4. Proceed more conscientiously in meeting the needs of the domestic market, providing sufficient spare parts, reducing the assortment of unsatisfactory goods on the domestic market, rejects and complaints.
5. Direct the initiative of workers, among others, toward the savings of billions under the trade unions to achieve and exceed the state goal program--to attain in 1981 a minimum savings of 2 percent in fuels and energy and 4.5 to 5 percent savings in metal. The amount of these savings is to be specifically expressed in the factory in the activity plan of the ROH basic organization in absolute standard units.

Direct the efforts of innovators, inventors and comprehensive efficiency brigades toward implementing the plan for scientific-technical development, specific tasks, efficiency programs and toward the solution of other technical-production problems in order to achieve the planned social benefits from the adopted innovative suggestions and inventions on a nationwide scale in 1981 as well as 1982.

In preparing the draft plan for 1982 implement the method of counterplanning and make full use of workers' suggestions and proposals to discover and make use of all reserves. Consider planned inputs of production as maximum and outputs as minimal.

6. Provide for the active participation of plant and enterprise committees of the ROH in preparing and implementing greater economic effectiveness of the wage structure. Support increasing the role of incentive wage factors, especially bonuses and awards, in the fulfillment of critical goals of efficiency, quality and savings and also help apply the principle of merit in wage policies. See to it that the gradual generalization of norms of consumption is carried out at all worksites with the broadest participation of workers and do not allow modification of norms in the form of administrative conversions according to the degree of their fulfillment.

Promote the discovery and utilization of reserves through the initiative of workers, collectives of brigades of socialist labor, comprehensive efficiency brigades, innovators, inventors, improvers of operations, youth collectives and distinguished workers. Make full use of recommendations and suggestions from production consultations, membership meetings and conferences. See that cooperative socialist

pledges are drawn up more responsibly to provide high quality final goods and the completion of capital construction, especially selected projects, within the planned deadlines, costs and stipulated quality.

Increase the participation of workers and union bodies in controlling fulfillment of plans, socialist pledges and collective agreements. Make use of and improve the organization of production conferences for these purposes.

Devote constant attention to strengthening and consolidating discipline in consumer-supplied relations and in supplying technical material, in the continuity of production in coordinated operations and in assuming greater responsibility for the results achieved.

III

Intensifying Trade Union Concern for the Working, Social, Health and Living Conditions of the Workers

In the period before the 10th All-Union Congress all RSW basic organizations are to show greater zeal than before in constantly improving the material and cultural standards of the people and their life security, consistently enforcing socialist labor-rights regulations, defending the legitimate interests of the workers and implementing the legal rights and responsibilities of plant committees.

An important tool for implementing the stipulated goals at every enterprise and plant is the plan for cadre, personnel and social development in the Seventh Five-Year Plan as an integral part of the economic plan and including it in the annual collective agreement.

Attention should be centered on these basic tasks:

1. Introduce and intensify a system of trilevel job safety controls with the objective of further reducing the job accident rate and occupational diseases. By openly checking the safety of work, strive to reduce the number of high risk jobs and enforce standards for social facilities in enterprises and observe safety and sanitation requirements in the working environment. Devote attention to reducing overtime work and the number of exceptions for prescribed load limits for women and promote better management in the use and maintenance of personal protective working devices.
2. Expand and improve food purveying in plants with special attention to the second and third shifts and large construction projects and expand the provision of special diets as much as possible. Make full use of all reserves in the production and distribution of food and set up conditions for social dining.
3. Together with the national committees and economic bodies, work effectively to eliminate shortcomings in services for workers and transportation to jobs. Try to increase the capacity of pre-school facilities, including nurseries, by means of combining facilities and ... lling the election programs of the National Front.

4. Consistent with directives of the URO (Central Council of Trade Unions) and the CSSR government, make better use of the possibilities of plant and enterprise recreation, especially for laborers in high-risk jobs and worksites with deteriorating working conditions and for families with children. Fully develop and utilize pioneer camps of the ROH consistent with the principle of trade union solidarity within the framework of enterprise and territorial units.

5. In joint negotiations of ROH factory committees and industrial management discuss at least twice yearly the status of adherence to labor-rights regulations, observance of the work code, the law on the position of plant committees of the ROH and other laws and take action against those responsible for failure to meet contractual obligations contained in collective agreements. Work for systematic reinforcement and consolidation of socialist labor discipline, the relationship of workers to socialist ownership and protection of the socialist economy.

6. In national insurance commissions, monitor monthly the development of worker disabilities and submit suggestions to plant ROH committees for preventive measures. Plant ROH committees are to make semiannual and annual analyses of worker disabilities and specific propositions to eliminate any problems. Member meetings of ROH are to be apprised of the conclusions and consistent supervision is to be provided.

All of the stipulated objectives for the welfare of workers are to be supported through broad development of worker initiative, especially in the mass action, "Trade Unionists to their Plants and the Republic" and see to it that every union member actively takes part in voluntary work to improve the working environment.

IV

Intensifying Socialist Ideological Involvement of the Workers

The directives for ROH educational activity are contained in the conclusions of the 15th CPCZ Central Committee meeting and the program of the 16th CPCZ Congress, and the instructions for their implementation are contained in the resolutions of the 11th URO plenary session.

The development of educational activity before the 10th All-Union Congress calls for the following:

1. Mass political and educational work in working collectives is to be directed toward acquaintance with the 16th CPCZ Congress program. Socialist training in trade union sectors is to be expanded so their activity may be developed in a planned and goal-oriented manner.

2. See to it that economic propaganda, personal and graphic publicity, political and economic education and plant radio and press devote systematic attention to clarifying production goals, the need to lower costs and raise the quality of production and improve the management and organization of work in enterprises and plants consistent with the Main Directions of Economic and Social Development in the CSSR between 1981 and 1985 and the principles of the Set of Measures. Link

propaganda and publicity with education about the socialist relationship to work, to discipline and to the development of worker initiative for timely and high-quality fulfillment of all tasks. In basic organizations, work out, in cooperation with industrial management, plans for economic propaganda and publicity which will reflect the specific needs of workites.

3. Contribute toward intensifying the sense of socialist ownership of workers and raise their international perception. Explain the peace proposals of the Soviet Union adopted at the 26th CPSU Congress as the program of the struggle of the workers for world peace.

4. The training of all sector trustees and officials newly elected to bodies of the basic organizations is to be carried out directly after the annual membership meetings and conferences of basic organizations but no later than before the 10th All-Union Congress. Prepare plans for the education and training of ROH officials for their entire tenure in office.

5. In the area of cultural educational activity, concentrate on the elaboration and implementation of resolutions of the 11th plenary session of the URO, "For Greater Effectiveness of Cultural-Educational Work in the Socialist Training of Workers." Prepare long-term plans for cultural training activity of basic organizations and for their cultural facilities.

6. Intensify cooperation with economic and state bodies and organizations of the SSM [Socialist Youth Union] toward forming organizational, personnel and material conditions for improving the preparation of youth for working careers. Expand the opportunities and participation of working youth in mass development of physical training, sports, military and tourist activities.

V

Develop International Activity and International Responsibility for the ROH

The approaches to international political orientation of the Czechoslovak trade unions are found in the program documents of the 16th CPCZ Congress and the inspiring conclusions of the 26th CPSU Congress. They are to contribute to the peaceful efforts of the socialist countries through specific work results in all collectives. For this purpose it is necessary to:

1. Develop international trade union activity consistent with the foreign policy program of the 16th CPCZ Congress and actively resist the aggressive policies of reactionary and imperialist world forces.

2. Develop specific proven forms of cooperation with workers of socialist countries, especially the USSR. In plants, work collectives, brigades of socialist labor and socialist competitions set up conditions favorable to the development of international competition aimed primarily at timely and quality fulfillment of deliveries in connection with implementation of the comprehensive program of economic integration among the CEMA member states.

3. Intensify international solidarity of the ROH with trade union movements in the developing countries and support the anti-imperialist movement. Explain the significance of the fraternal assistance of Czechoslovak trade unionists to workers of the world and extend the participation of basic organizations in the purchase of solidarity stamps.

4. On the basis of preparations for the 10th All-Union Congress develop a broad propaganda campaign explaining the principles and goals of international activity of the ROH and the World Trade Union Federation.

VI

To Raise the Effectiveness of Trade Union Work and Prepare for the 10th All-Union Congress through All-Round Political, Program, Personnel and Organizational Work

The basic requisite for raising the effectiveness of union work is through constantly improving the standards of internal union life, an uncompromising struggle against any signs of bureaucracy, conservatism, stereotypes and formalism. Prevail on every member to take active part in the union organization's work. Make the work of union bodies goal-oriented and raise the level of work in union sectors and membership meetings.

This calls for:

1. Providing timely program, personnel and organizational preparation of annual meetings of union sectors, shop organizations of the ROH and basic trade union organizations. Devote special attention to raise the quality of sector boards of trustees. Nominate for sector trustee offices experienced ROH members who are exemplary in their work and political life, have the confidence of the membership and are capable of attracting and organizing the membership to carry out the tasks of the union organization.

2. Improve the work of the ROH factory committees and ROH shop committees with sector trustees. Make sure they are informed of all basic problems of the life and work of the plant work collectives and the objectives and positions of the union organization. Take into account the opinions of the collective of sector trustees in settling important questions impacting on the productive, economic, working and social problems of the worksite, plant or enterprise.

3. In plant committees and conferences of sector trustees, regularly consider the comments, suggestions and proposals of the workers presented at meetings of union sectors, membership meetings of basic union organizations and at production conferences. See that they are taken up promptly by union officials and industrial managers. Inform the membership of the results.

4. In the activity of basic organizations, further intensify conceptualism, planned programming, objectivity and precision in dealing with economic-production, social and political-educational tasks. See that resolutions are consistently implemented and draw appropriate conclusions when they are not fulfilled.

5. In trade union management, see that the principles of cost consciousness are strictly observed and that union finances and funds of the FKSP [Cultural and Social Services Fund] are used conscientiously and to good purpose in order to meet union goals in all areas of activity. The control commissions of basic organizations will see that trade union management is regularly and effectively supervised. Members will regularly be informed of the management of basic union organizations at member meetings.

Compilation of a concrete plan of activity in every basic organization is the prerequisite for the proper conduct of annual membership meetings and conferences. Successful implementation of the Plan of Activity after the 16th CPCZ Congress throughout the ROH linked with regular checking of results achieved will make it possible to properly prepare the 10th All-Union Congress and further improve the activity of the ROH.

Providing for Political-Organizational Results of the 12th Plenary Session of the URO Together with the Czech Trade Union Council and the Slovak Trade Union Council Held 11 and 12 May 1981 (Approved by the URO Presidium 22 April 1981)

In order to implement the conclusions of the 12th Plenary Session of the URO together with the Czech and Slovak Trade Union Councils and the tasks stipulated in the Plan of Activity of the ROH from the 16th CPCZ Congress to the 10th All-Union Congress, the presidium of the URO charges all trade union bodies and organizations to take the following measures:

ROH Plant Committees

1. At membership meetings, discussions, conferences and aktive of officials the conclusions of the 12th Plenary Session of the URO are to be explained and the procedures for implementing them, preparations of plans of activity, annual membership meetings and conferences of ROH basic organizations and participation of union organizations in the final stages of preparing elections to representative boards and on the election day.

Due by 5 June 1981

2. With the participation of official aktive and of members formulate:

a) The proposed plan of activity of the ROH basic organization between the 16th CPCZ Congress and the 10th All-Union Congress which expresses the material and specific participation of individual operations, shops, work collectives and organizations as a whole in meeting the tasks incumbent on the basic organizations from the Plan of Activity of the ROH between the 16th CPCZ Congress and the 10th All-Union Congress under the specific conditions of the plan, organization or institution.

In preparing the proposals make full use of experiences and findings from fulfilling earlier activity plans and carrying out conclusions of the 7th and 10th Plenary Sessions of the URO.

b) Measures to provide political, substantive, organizational and personnel preparations of annual membership meetings of trade union sectors, shop organizations and basic ROH organizations.

The proposed plan of activity and the actual political-organizational provision for the preparation and conduct of deliberations at annual membership meetings and conferences are to be submitted for discussion and approval to membership meetings (conferences) of basic ROH organizations.

Due by 15 July 1981

[The heading for the following section is missing--translator's note]

1. At presidium meetings discuss and adopt measures for effective assistance to lower bodies, especially basic organizations in implementing the results of the 12th Plenary Session of the URO.

For this purpose delegate their officials and workers to basic organizations and guide them to active representation at member meetings and official affairs.

Due by 31 May 1981

2. At the same time plan the preparation and convocation of plenary meetings to discuss the conclusions of the 12th Plenary Session of the URO and adopt measures:

--to carry out generally and specifically the tasks stipulated for the period up to the 10th All-Union Congress at their level;

--to carry out the political, substantive, organizational and personnel preparations of conferences and congresses which they convoked;

--to provide assistance to basic organizations and subordinate trade union bodies during the period before the 10th All-Union Congress. At the same time proceed on the basis of the specific situation and exigencies under which the conclusions of the 12th Plenary Session of the URO in individual organizations and bodies will be implemented.

Due by 15 July 1981

3. In the period before the 10th All-Union Congress project in the working plans the control, evaluation and general application of experiences from carrying out the conclusions of the 12th Plenary Session of the URO at the particular level and in subordinate bodies and basic ROH organizations.

Okres and kraj trade union bodies are to discuss the overall results of preparation and the level of the plan of activity and measures of the basic ROH organization to implement the conclusions of the 12th Plenary Session of the URO by 31 August and republic and central bodies are to do so by 30 September 1981.

Due generally by the end of April 1982.

8491

CSO: 2400/228

ECONOMIC CRIMES DESCRIBED, EVALUATED

Prague TRIBUNA in Czech No 24, 17 Jun 81 pp 4, 5

[Interview with Karel Pesta, doctor of law, senior prosecutor of the General Prosecutor's Office of the CSSR, prepared by Oldrich Bilovsky: "A Discussion About the Defense of the Socialist Economy"; date and place not specified]

[Text] The successful fulfillment of national economic tasks has a fundamental significance for the continuing improvement of our standard of living and for the well-rounded development of society. No less important, however, is the defense of existing values. And it is precisely socialist ownership which is the subject of our interview with a specialist on questions of legal penalties for the defense of the economy, the senior prosecutor of the CSSR General Prosecutor's Office, Karel Pesta, Doctor of Law.

[Question] When considering criminal activity in the economic area, there have been qualitative changes in the personalities of the perpetrators. How would you characterize them?

[Answer] It is typical that the perpetrators of the most serious economic crimes, those punished most severely, do not correspond to the "model criminal," in the sense in which such a person is often imagined by people who for the most part enjoy a good reputation, and have even held responsible positions in the damaged organizations. Until committing the crime they have lived model lives.

[Question] These are, then, "upstanding people"?

[Answer] It would perhaps be possible to express it simply in this way. The question is, you see, that while in interpersonal relations the majority of economic criminals would not lower themselves to deceit, bribery, or the robbery of fellow citizens, when it comes to the socialist economy they become beasts, people without scruples. For many of them it is not a question of overall criminality, but of a negative relationship towards the economic system, towards discipline and property in socialist ownership; in this area it is as though the laws of our society do not apply to them, but only their own interests, individual, particular, selfish interests.

[Question] But this means that even the relationship of the criminals to the damaged organizations has changed.

[Answer] Certainly. While 15 or 20 years ago most of the criminals came from outside the economic sphere, currently the opposite is the case. The majority of the perpetrators of property theft under socialist ownership come from the ranks of employees of organizations or cooperative members. For example, in 1979 more than one out of two employees was a criminal; it was a matter of 85 percent.

[Question] Could you give us an example?

[Answer] It is well known that certain managerial employees quite openly and purposely violate regulations. People are aware of this, but if there is ever criticism of this approach, it is argued that by adhering to all regulations the enterprise could shut down and nothing would be produced. It is not, I hope, necessary to point out that we are dealing here with demagogery; such assertions undermine the authority of the socialist state. They are like a magic formula which is capable, in the opinion of some managerial employees, of removing guilt from them. It is not necessary to emphasize that such views complicate the situation and harm matters. For instance, a certain managerial employee was punished for bribing various individuals in other organizations and on the national committee. The objective was to obtain land and materials for the construction of enterprise cottages. He came by the resources for the bribes by organizing a pledged movement at an apprenticeship center; its objective was to produce, during free time and from enterprise materials, various souvenirs and knickknacks. And the apprentices produced wrought metal objects (many had significant cost and artistic value!) with the knowledge that they would be handed out to private individuals as bribes. In other words, positive incentive programs affecting the whole society, which socialist competition and pledge movements both undoubtedly are, were misused in this case for bribery, and ultimately for criminal activity and robbery. And this is not an isolated instance; several additional cases document the fact that a number of responsible employees, in the attempt to fulfill the plan at any cost, are disregarding their responsibilities in the area of educating people. It is not necessary, I hope, to remind you that such an attitude is at variance with the principles of life in a socialist society, and seriously deforms both social and economic life.

[Question] This attitude of certain managerial employees without doubt exerts an influence also on their activity in reporting the crimes of their own employees.

[Answer] Unfortunately, in a number of instances the agencies investigating economic crimes cannot depend on the cooperation of its main ally--the damaged organization. I will try to compare the behavior of a citizen with the reaction of an organization after both have been harmed by a criminal act. While a private individual will realize that a crime has occurred, report it and attempt to establish proof, a socialist organization will often not even realize that it has been harmed. It is not exceptional to have cases in which the police must inform the organization of the existence of criminal activity. It is also often the case that the organization's control agencies know of the crime, but do not report it, even though they are supposed to do so immediately and without exception. There are other differences as well; the private individual attempts to specify the damage, he does not minimize it, rather he has a tendency to exaggerate. If he is not satisfied with the work of the agencies charged with the administration of punishment, then he submits numerous complaints, is negatively inclined to the perpetrator, and often exaggerates this aversion. And again the opposite: the socialist

organization often does not know the exact damage. It happens that it does not record the actual value, but the accounting value, or the replacement value, and often passively waits to see what damages will be determined by the agencies charged with the administration of punishment, and it is inclined to underestimate their amount. It also assumes a benevolent attitude toward the perpetrator. Above all this is the case in those instances involving its own employee, who may be threatened with the unconditional punishment of incarceration. And all of this complicates the situation. The concentration of elements which make the administration of punishment difficult is especially significant in certain attacks on economic discipline when the criminal is cooperating with the plaintiff. It is, you see, in the interest of both to hide the fact that there was a criminal act at all; the nonlegal success from this accrues to both sides.

[Question] What, specifically, is the issue?

[Answer] Cases such as these are especially prevalent in the violation of financial discipline in consumer-supplier relations. I have in mind those cases in which a contractor promises a consumer a product in short supply; the consumer, "as a reward," agrees that it will not be complete or that he will not return it because of low quality. This is a particularly dangerous criminal activity in construction, in the delivery of capital projects. I remember a case when it was determined on the basis of a citizen complaint that a consumer organization had paid the contractor--a construction organization--for the construction of factory building, even though it was still not complete 9 months after the payment. The motivation for this agreement was simply unseen gratitude. But to the case; so that the management of the consumer organization could hide the crime, it showed a fulfilled production plan for this nonexistent building, paid depreciation on it, etc.--the responsible employee admitted to the con job. He regarded this approach as normal and as the sole possible way of forcing the construction company to fulfill its commitment.

[Question] We set a goal for ourselves of talking about the characteristics of attacks on the socialist economy. May one presume that there are also specific results of these crimes. What is the nature of these specifics?

[Answer] In contrast to criminal activity in other areas, here there are additional secondary results. And the several forms of these are very dangerous precisely because of their hidden nature, secrecy, and ability to expand rapidly. This is typical of criminal activity in capital construction and in consumer-supplier relations. I would compare this to a chain reaction in which an initial action is followed by other ones; the falsehood that, for instance, the materials and labor for a project have been assured leads, in later phases to what is referred to as "commerce in labor." This is followed by the payment of "black wages," the bribery of contractors, the misuse of associated products, the creation of black funds, unsanctioned cooperation, various tricks in the design preparation and in inspection. And this situation creates the preconditions for an increase in economic disproportions and gradually pulls more and more people from many various areas and locations into this illegal bargaining.

[Question] From what you have mentioned it is clear that economic criminal activity leads to a double morality, and evokes a negative shift in legal awareness. What are your comments in this area?

[Answer] The area of legal awareness has already been considered in detail by the CPCZ Central Committee session in 1972. It emphasized that "it is essential to foster a socialist legal awareness, a sense of law and justice; to take care that citizens absorb as much knowledge as possible concerning our law so that a respect for the laws and for their upholding is fostered within them. At the same time it is necessary likewise to place emphasis on the prevention of various criminal and illegal activities. This is, to be sure, a matter not only for theoreticians and lawyers, but for all responsible managerial employees, pedagogues, the press, the radio and television."--And these tasks are still pressing.

[Question] Nevertheless I think that the greatest risks are in the formation of the legal awareness of young people. What have been your experiences?

[Answer] Young people are in a period when they are entering an occupation, leaving family and school, and when they are psychically very receptive. And if they encounter at this time an underestimation or even an open flouting of laws, and sometimes precisely by those people who should be fostering respect for themselves, there is a serious danger that they will forever register in their minds the idea that it is possible to approach laws individualistically and purposefully, that they apply only at certain times and for certain people. And this discovery--the fact that he confirms in practice that there exists a dual relationship to the law--may mark the collapse of existing values, and may lead to psychic instability and, not uncommonly, to catastrophe. The 15th session of the CPCZ Central Committee called attention to this. The words rang out from the podium: "Young people have a very precise measure for what is good and what is bad. They are especially sensitive to a discrepancy between words and deeds, and they are deeply affected by inconsistency, formalism, unprincipled behavior and deceitfulness. And it is not easy for them to orient themselves in such an environment. A lack of life experiences often makes them unable to differentiate between what is gold and what is only gold plated, who is being straight with them and who is not."

[Question] We have been discussing legal awareness more or less at a theoretical level. What are the practical manifestations of its negative shift?

[Answer] I would like to state beforehand that many times people, and the communications media as well, give various names to the same behavior: they notice a difference only in whether the criminal committed the crimes in interpersonal relationships or in the context of group, local, or sectoral interests. And what are the manifestations of this in life?--An example of a deformed approach which documents the shift in legal awareness is an excerpt from a letter of a plaintiff to the prosecutor. I quote: "I know that I was caught with a deficit and that I am worthy of punishment because I kept the money, even though I subsequently wanted to return it. But I ask that you support me; there was a meeting at work where they spoke about me as if I was a thief. I certainly am no thief, I am simply a garden variety pilferer. Even at the police station they booked me for having committed the pilfering of property under socialist ownership. So why all of a sudden is someone calling me a thief?" In another case, the manager of a shop convicted of pilfering property under socialist ownership wrote: "I certainly didn't embezzle anything or deceive anybody--I only had a deficit, but now they look at me like the ultimate thief!"--Both examples are, to be sure, naive, but

nevertheless they are a quite clear documentation of the deformation of legal awareness.

[Question] It follows from what you are saying that an accompanying phenomenon of attacks on the socialist economy is also significant damage in social relationships. What are the consequences of this?

[Answer] The deformation of conceptions regarding the necessity for upholding the socialist principle of compensation according to merit belongs in the category of harmful consequences. In economic relations this leads to the unjustified improvement of economic performance and to a negation of the influences of socialist economic stimuli. And this retards rationalization efforts and prevents increases in production efficiency. This situation then in interpersonal relations revives bourgeois anachronisms and a petty bourgeois life style.

[Question] It is then in the interest of society, in the interest of all of us, to fight attacks on the socialist economy. The question is how?

[Answer] It is necessary to perceive that the path to the "downward slope" usually begins with minor things, the beginnings of a number of perpetrators of criminal activities are usually manifested by smaller violations of labor or economic discipline. It is a matter of absences, the production of rejects, lack of interest in work, the illegal embellishment of economic performance and other misdeeds, of which the entire working collective is often aware. Unfortunately, it is often silent. It is impossible to overestimate the negative influence of the use of alcohol during working hours, prolonging breaks, the misuse of working time for personal hobbies or moonlighting, often with the approval of the employer.--Here is where we must begin! Mainly because we are dealing with factors that foster crime, which very often lead to qualitative changes in the character of the violations, culminating with a criminal act.

9378

CSG: 2400/224

NEW L-410 TURBOLET AIRCRAFT INTRODUCED

Prague ATOM in Czech No 7, 1981 p 29

[Text] The new L-410 Turbolet represents another improved version of this successful multipurpose aircraft of national enterprise LET. The original L-410A used the PT-6A-27 Canadian turboprop engines while another version was equipped with our M-601B Walter engines of similar performance. The new L-410 UVP version contains several other improvements. The capacity has been increased by extending the body by 0.5 meters, the wing span is 2 meters greater, spoilers have been added, the horizontal tail sections have more of a V form, the front landing gear wheel is steerable and the wheels have anti-skid devices. The passenger cabin can be arranged for 15 seats or 1,310 kilograms of cargo; the medical version can accommodate 11 wounded and a nurse(s). Other alternatives are possible (for parachute jumping, topographic uses, training, or navigation versions, etc.). Wing span is 19.5 meters, length 14.5 meters, the weight of the empty aircraft is 3,700 kilograms, maximum range 1,190 kilometers, take-off and landing area about 400 meters. Two 340 kW engines enable speeds of 300 to 360 kilometers per hour.



Turbolet L410 UVP

Key:

- 1. Horizontal V tail section
- 2. Increased wing span
- 3. Stretched body
- 4. Stabilizer under the tail

CZECHOSLOVAKIA

JOB MARKET DISCRIMINATORY TOWARD WOMEN

Bratislava PRAVDA in Slovak 20 Jun 81 p 3

[Article by Lydia Brabcova: "Who Discriminates Against Women (Not Merely in Functions)?"]

[Text] A relatively young, educated woman with a promising career in the field of agricultural science, was approached by her townsmen with a definite offer: "Come and work in your hometown, in our cooperative; we can use younger, better qualified help...We would like to offer you the position of the deputy chairman of the cooperative..."

They discussed it at length and she promised to think it over. It would not be easy to leave the work in which she was absorbed and which gave her satisfaction, but she would think about it...

Another townsman visited her shortly afterward, alone.

"I hear that you may come..."

"Yes, I think so."

"And would you not be ashamed to take away my job? Can't you wait until I retire? And in any case why should a woman have such a position? Have your husband work harder and you attend to your responsibilities at home!"

Can we wonder that women in responsible positions in the cooperatives are as rare as saffron? When I inquired at the Advanced School of Agriculture in Nitra as to why only about a half of the thousands of their women graduate engineers work in the professional field for which they qualified, and a minimum of them in responsible positions, the answer was: the toughest place for a woman is in the village. Not because of the work itself, but because of prejudice.

And another example:

An enterprise advertised a vacancy in a profession selected for study mostly by girls, or by at least 50 percent. Two applied: a woman and a man. When she nodded in response to the question--"Do you have children?"--the personnel officer showed his annoyance and, although the child was an older one, he said tartly: "We'll let you know." They did. The vacancy was filled. The man got the job.

I do not wish to write an essay on the arguments of men versus women. I just want to toss around some facts.

One cannot deny that the slogans "Why does a woman need to be a functionary?" or "Let us have a man rather than a woman" are coming back into our everyday life. They are creeping in quietly but they are felt. They govern overall as a silent, unwritten, but firm law. This "house rule" makes a mockery of our efforts for equality and contrasts with our declared rights and the opportunities pledged for women by the socialist public order. What is the basis of this "rule"?

It reeks of all the old undervaluing and unprogressive views of the role of a woman in society. Although we put forth a lot of effort to change such views, we have not made any progress. Officially, yes, officially many glowing words are bandied about; although occasionally tinged with insincerity, they at least acknowledge the arguments. In the umbrage of officialdom, however, the situation is worse.

And what about the arguments? The most convincing evidence that women are serious about equality is their education. While among women over 60 years of age about 3 percent are graduates of secondary schools, and 0.33 percent are university graduates, the generation of the 30-year-old shows 15 times as many graduates of secondary schools and 20 times as many college graduates. More girls than boys study today in the gymnasiums and the specialized secondary schools. At Slovak colleges, for instance, about one-half of the students are women. Almost one-half of the degrees awarded at the universities in the SSR were acquired by the young generation of women and more are awarded to women also at the advanced technical schools. In Slovakia, in the period from 1975 to 1979 alone, 344 women received the degree of candidate of science, 65 women became docents and several were appointed university professors. The younger generation of women is thus moving forward much more energetically. It is their education which provides the firm basis for their achievement. But while an educated woman struggles more resolutely against prejudice and does not back down easily and does not give in, the struggle with all kinds of rot is beyond her strength and more than one succumbs to feelings of inferiority and insecurity about her own strength.

At the end of 1978, according to the statewide statistical findings, 52 percent of the professionals with college and specialized secondary education in the socialist sector of our national economy were women. Compared to 1960, the rate of growth was 4.7 times higher for professional women with university qualifications and 3.7 times higher for those with complete secondary school education.

Despite the Icarus-like soaring of women's education, they are still mostly employed in positions calling for a lower educational level. Where college education is specified, however, we meet up to 62 percent of the demand. It is known that a woman will not accept responsible work unless she is qualified for it. So why does she work in a position which calls for secondary school education when she has a college degree? Is it always a concession on account of children?

It is understandable that women with small children make some concessions until the children are grown. It is worse, however, when some women, despite their titles of engineer or doctor, find it more convenient to accept less important work

not commensurate with their qualifications. They simply do not want to fight for new positions; they find it difficult to break through the wall of prejudice and enmity of men who occasionally are looking forward to a confrontation. This is a cowardly concession and a costly one from the aspect of the national economy. We know from the statistics that as many as 10 percent of college graduates (and women form a majority) are working in positions calling for lesser qualifications. In other words, they studied to no purpose and took the space away from better motivated students. Fortunately, not all women are like this.

As mentioned earlier, the view "Let us have a man rather than a woman" still prevails at more than one place of work. We still have many people who do not like to see a woman being independent, self-confident and capable. These views, of course, are not common (especially in families) at the time when the girls enroll in college; they only surface when the woman's independent step may threaten the smooth, untroubled (and, for her partner, undemanding) running of the household. And they crop up at any workplace whenever there are several candidates, i.e., a choice has to be made. And do you think they use the same yardstick? Definitely no!

The view that women are a reserve work force has not died. The declared right is one thing, the practice another. And as mentioned before, more than one place and one individual use practices reeking with old moldiness. They usually shift a woman onto a sidetrack, as allegedly she is not the family breadwinner. Contradictions arise both in the purely human relationship to women as colleagues and at home, the citadel of privacy. We meet men speaking fiery words about equality and emancipation but treating their wives at home like feudalists. We see officials enthusiastic in their acknowledgement of the dedicated and excellent work of women; yet they have no women in responsible positions working with them. And when a woman now and then manages to become deputy chairman, department chief or a functionary, she finds she was thrown into water without help to show whether, and how, she can swim. In the past 10 years we have managed to get a few women into more responsible positions. They have demonstrated that they can handle perfectly and competently the work commensurate with their qualifications and mentality. It cannot be denied, for example, that credit goes to the deputy chairwomen of District National Committees for actions taken to solve problems of preschool arrangements and social questions in all districts. They have shown that they not only know what they are doing and understand it, but that they also possess irreplaceable tact and sensitivity when working with people.

To be fair, I must state that the same criteria must apply to men and women when a responsible position is to be filled: whether they have the necessary knowledge, the ability to wisely lead and organize people, whether they inspire trust and respect, whether they have earnest and comradely relationships with others; and whether they keep their professional knowledge to themselves or know how to share it with others and are willing to do so. Neither man nor woman can pass the test in any other way; only their abilities can count. We cannot separate work responsibilities the way we do beans in the marketplace.

If, in conclusion, I want to give the answer to the question of who discriminates against women, I must say it is those who have not yet grasped the basic truth that abilities must decide who is going to do what, regardless of the masculine or feminine gender.

BRIEFS

VIETNAMESE TRADE UNION DELEGATION--A delegation consisting of five members of the Federation of Vietnamese Trade Unions led by the Chairman of Auditing Commission Vu Ngoc Quynh arrived in Prague on 17 July. Invited by the Revolutionary Trade Union Movement (RTU), the delegates will primarily study RTU's financial and control system, the forms and methods used by auditing commissions in all stages of organizational development and trade union methods used in answering workers' letters. The delegates were met at Prague airport by the Chairman of Auditing Commission, Central Council of Trade Unions (URO) M. Kalman and other URO officials. [Prague PRACE in Czech 18 Jul 81 p 3]

CSO: 2400/271

GERMAN DEMOCRATIC REPUBLIC

LIEUTENANT COLONEL'S ESCAPE FROM, RETURN TO GDR DISCUSSED

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 30 Jun 81 pp 1-2

/"C.G." article, datelined Bonn, 29 Jun 81: "Escape and Return of a GDR Lieutenant Colonel--Ruehl: A Voluntary Decision. Conversation with East Berlin Diplomats and Lawyers"7

/Text7 The escape of a lieutenant colonel from the GDR to the FRG and his quick return to the GDR have occupied the government in Bonn and the intelligence service intensively. On 2 June--according to a statement by government spokesman Ruehl on Monday /1 June/ in Bonn--, Rauschenbach, commander of the border troop regiment stationed in Dernbach in the GDR, had fled into Hessian territory near Fulda. Two days later he returned to the GDR. According to the government, nothing could be done legally to prevent his return; on the human level, the escapee had been in distress and had apparently not fully considered the consequences of his escape beforehand, so that he took advantage of the first opportunity to return. According to the government, any attempt to retain him or to prolong his stay in the FRG would have brought with it the risk of a provocation, because East Berlin would then have been able to accuse Bonn of retaining the officer against his will and against the request of his wife; even during a prolonged stay of the lieutenant colonel in the West, pressure from the GDR could have been applied through his family.

According to the description of the local officials, Rauschenbach, who had crossed the border alone on a safe path within his own area of command, had been picked up by the FRG border patrol /BGS/ and, after his papers had been checked in Fulda, turned over to the FRG intelligence service /BND/. The Pullach service initially did nothing more than interrogate him, because Rauschenbach had given the impression of being confused. The intelligence service had allowed him to get some rest and waited to see if the refugee wanted to make a statement on his own. Rauschenbach had neither asked for asylum nor laid claim to his rights to German citizenship, nor did he claim that he had been persecuted in the GDR, nor did he request being placed under American protection. He had in no way renounced the GDR.

According to Bonn, immediately after the escape, an alarm was sounded because the lieutenant colonel's driver had reported him missing. On the day after the escape, 3 June, the GDR representative in Bonn, Schindler, called on State Minister Huonker from the office of the FRG chancellor with the request that GDR representatives wished to speak with the refugee. According to Bonn, Schindler gave his verbal assurance

that Rauschenbach would not be punished on his return. Schindler's explanation that the refugee had been treated for depressions at a private mental hospital has apparently been confirmed during questioning of Rauschenbach by the intelligence service. Accordingly, Rauschenbach had been discharged from the hospital as ready to return to service, but had also been given a new appointment for further treatment. Under the shock of anticipating further treatment, a possible stay at the mental hospital, and the expectation of becoming incapable of serving, the officer is said to have had his driver take him to the border segment under his command for inspection; there he fled.

In his talk with Huonker, Schindler represented the case as an illness case; and that the GDR wishes an early talk with the refugee for humanitarian and family reasons. It was only through this talk that the chancellor's office learned of the lieutenant colonel's escape; the information channel of the border patrol and the intelligence service had initially only led to the ministry of the interior. The head of the chancellery, Secretary Lahnstein, was in Italy at that time. Huonker contacted Hirth, director of the Ministry for Inter-German Relations, regarding the GDR request. Hirth is in charge of problems relating to border crossings. Huonker and Hirth requested that the intelligence service in Munich ask the refugee about his intentions, and to inform him of the wish of the GDR representatives for a talk. To the question whether he was ready to speak with GDR representatives, Rauschenbach is said to have answered that he would, but only under the condition that he could first speak alone with his wife. His wife had remained in the GDR with three children.

The talk between the GDR representatives and the lieutenant colonel was arranged by the FRG government in the Munich police headquarters on 4 June. The Bavarian state government, informed by Bavarian Interior Minister Tandler, assisted. But neither a representative of the Bavarian state government nor of the Bavarian police was present during the talks, because Bavaria considered itself only indirectly involved.

According to official reports, the talk between Rauschenbach and his visitors was in three phases. It lasted a total of barely 1 hour. First Rauschenbach spoke alone with his wife. Then two attorneys joined: one from East Berlin and one from West Berlin. The two attorneys deal routinely with inter-German prisoner exchanges and the ransoming of political prisoners from the GDR. The GDR attorney did not have the opportunity to speak with the refugee without a Western witness. Mrs Rauschenbach, who--without a doubt--had been briefed by GDR officials beforehand, did have that opportunity. In the third phase, Rauschenbach informed Hirth and Schindler, in the presence of the two attorneys, of his decision to return to the GDR. The attorneys attested to and notarized Schindler's verbal assurance that Rauschenbach would not be punished. They also attested to the lieutenant colonel's statement that he is returning voluntarily, out of his own free will, and in accordance with his own decision. Rauschenbach then left the FRG with his wife by car on the same day, 4 June.

The FRG government announced on Monday that, to the best of its knowledge, Rauschenbach had not been arrested since his return to the GDR. And that Bonn would now be able to entertain a cautious hope that its quick and smooth handling of the refugee's return might have a positive influence on future exchange proceedings with East Berlin.

Because of the refugee's confusion, they decided from the very beginning to forego the questions normally of interest to the West on the arrival of a carrier of secret information from the GDR. Caution was also exercised because of the possibility of a provocation.

The question now asked in Bonn is whether the FRG should not have let more time pass before allowing the Munich talk to take place. It is also asked, whether Rauschenbach should have been given some time for consideration after the talk and before his return to the GDR. Complexities regarding the refugee's status as a German citizen and his treatment as a foreigner are also becoming apparent. A German citizen would not have had an absolute right to a meeting with a member of the GDR delegation, as is customary with foreigners and diplomatic representatives of their countries in the FRG. The government, on the other hand, maintains that Rauschenbach had to be treated as a uniformed officer who had not renounced the GDR, just as a member of the armed forces of any other nation--of a nation which belongs to the UN and had signed the Helsinki accords.

Bonn does not deny the GDR its territorial and personal jurisdiction (for its armed forces as well), as long as the individual German from the GDR does not claim his overlapping right as a German citizen. Anylum--which is only granted to foreigners--is not pushed on anyone. Thus, the lieutenant colonel had to be treated according to the status in which he had arrived. In this procedure, the remark by GDR representative Schindler, that Bonn's conduct will be appreciated, seems to have played a role. This points to gratitude by GDR security. According to Bonn, the GDR had in no way tried to pressure the FRG government and had not established any political connection with inter-German relations at large, or a future meeting between the chancellor and the GDR's Honecker. The Union sees the event as an occasion for questions, but not for a political confrontation, because it also assumes personal reasons for the lieutenant colonel's escape and return.

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GERMAN DEMOCRATIC REPUBLIC

BRIEFS

RECORDINGS ON LUTHER--A set of approximately ten long-playing records is being prepared in the GDR for the 500th anniversary of the birth of Martin Luther, the Reformation leader. The set is to be ready in 1983, the Luther commemorative year. Two of these new outstanding records contain texts from the Luther bible, the "Biblia." From the Old Testament they have, among others, excerpts from Genesis, the Flood Legend, and the Book of Psalms. Texts from the New Testament include excerpts from the Gospels of Mark and Mathews. An article by Albrecht [sic] Schweitzer, "On the Ethics of Respect for Life," will be added as a contemporary supplement. Famous GDR actors, such as Wolfgang Heinz, Dieter Mann and Fred Dueren, will read the Luther texts, fully preserving the style of the leader of the Reformation. Other records of the set contain music from the Reformation period and cantatas on the Reformation by Johann Sebastian Bach. The set includes also old German folksongs sung by Peter Schreier, as well as Felix Mendelssohn-Bartholdy's Reformation Symphony and excerpts from documents on the German peasant uprising of 1525. [Text] [Frankfurt/Main FRANKFURTER ALLGEMEINE in German 25 Jul 81 p 19]

CSO: 2300/262

CATHOLIC PAPER NOTES POOR CHURCH-STATE RELATIONS

Zagreb GLAS KONCILA in Serbo-Croatian 28 Jun 81 p 2

[Editorial: "Distortions and Intermediaries"]

[Text] Readers who for all of 2 weeks have been reading, listening to and looking at much of what is disturbing and confusing them as believers or as friends of the church rightly expect more definite treatment and clearer statement of the matter from GLAS KONCILA. The infrequency of publication and the lack of space in the newspaper, in addition to a certain inevitable tumult of events within the church compel us to forego treating much of this or to treat it incompletely, as though in passing. But perhaps at this moment that is in fact a good thing, in a certain sense. Since we have nothing more to say about what is perplexing people most than what we have said and repeated, than what our cardinal has said in his calm and authoritative manner, since he surely is the best informed both by the church here at home and by the most responsible persons in the Holy See: We don't know the origin or the reason for all of this, nor do we know who wishes it nor whom it serves. We have no desire to play roles which someone has allotted to us on his political stage. Actually all of this has no connection to the real condition, real activities and aspiration of our domestic church. All of this is an attempt at an unprecedented politicization of the church--without it, outside it and against it. We do not wish to stand as a target because it appears that someone wants to have someone to aim at. After all, certainly we would know how to analyze that entire phenomenon more deeply and would be able to do so, to seek its roots and direction and purports alien to us--but that is not our job; that would require a very subtle, well-informed and unrestricted sociological and political analysis, not an analysis of the church, but of those certain persons who have had intentions for it, almost as though at any price, something which it neither needs, nor may it accept it.

It truly is strange, probably the only such case in history we are aware of, but in the end it is nevertheless all taking place in front of the eyes of the world, everything is being recorded for history, and everything will be clearer tomorrow than it is today.

Another, somewhat closer, somewhat more innocent phenomenon, but one related to what we have just said, is the permanent establishment of the department "Religion" in VJESNIK of Zagreb and similar occurrences in other newspapers. The one

in VJESNIK, especially in the Saturday supplement SEDAM DANA, written by Nenad Ivankovic, whose formal credentials are increasingly valid, is beginning to have the effect that a regular program entitled "Religion" might have, for example, on radio and television. (We have heard, that is, certain "well-intentioned persons" assure responsible persons all the way up to the Vatican that our authorities would even allow us to have such a program on radio and television if we were only willing to make certain changes in subject matter and personnel. So we see from VJESNIK what sort of TV program that might be!) No longer are we dealing with transparent pamphleteering, but an affectedly serious approach to the phenomenon of religion and the church. It would even be difficult for a reader who knew nothing except the text in front of him to guess that Ivankovic is an atheistic professional specialist in religion. He, that is, his articles, demonstrate a very routinized familiarity with the documents of the council and other church documents; he builds articles out of pieces of articles and books of certain theological specialists in Zagreb, setting them against certain texts of bishops, archbishops and other theologians. Nenad would seem to have the task of showing our church how good things could be for it. See here, evangelization and catechization are even possible through a permanent department in VJESNIK of Zagreb! It is self-evident that such a writer of articles must have a firm background that has been checked out, must be certain that what happened to the teachers in Kanjiza will not happen to him (see AKSA [church news bulletin] on 19 June and NIN on 21 June); they were expelled from the League of Communists because on one occasion they went to church, not to worship, but to attend a concert of Bach's music performed by a girl who was their pupil, with no "priest" even present. So, the comrades who are teachers in Kanjiza were not authorized by their organization to undertake that attendance in church; yet it seems that Nenad Ivankovic has been authorized and given assurances. But still more interesting or strange is that he, a Marxist who in principle ought to be for abolishing all intermediaries, appears in VJESNIK as an authorized and qualified intermediary, moreover an intermediary many times over. He is an intermediary between the church and the public, he informs and teaches the public what the church is, what it is, and what it might and must be. He acts as intermediary between the public and certain Croatian theologians, he interprets, justifies and recommends their ecclesiastical, theological and religious thoughts and intentions. He calls them by their first and last names, he extracts fragments from their works, he praises them, and with their help he "proves" whatever it is his duty to prove. Wouldn't it have been much more tasteful and even more Marxist to let those theologians present their thoughts in that same space on their own? If they have been checked out, if this society and the LCY trust them, why not let them speak about themselves and on their own? Why do they need an authorized guardian and intermediary? Finally, it would have been much more straightforward and churchlike to confront the emergence of (if we might use the expression provisionally) "leftwing Catholics" in Croatia or even the pronouncedly proregime Catholics, than to put up with this kind of intermediation. Actually every Catholic nation has such leftwing Catholics, and in a certain sense this can signify an enrichment of its body. But this is something quite different, something regretful. Regretful, but not without its portent and probably not without some openness to unforeseeable development in the future. Is it also open to progress?

7045

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EDITOR OF CATHOLIC PAPER SHARPLY CRITICIZED

Zagreb VJESNIK in Serbo-Croatian 4 Jul 81 SEDAM DANA supplement p 18

[Response by Nenad Ivankovic to GLAS KONCILA editorial on 28 June 1981]

[Text] Although GLAS KONCILA has in its last two issues attacked VJESNIK (especially the supplement SEDAM DANA) very sharply, these assaults, because they have nothing whatsoever in common with an argued debate, do not deserve any very serious confrontation. We will not, then, take up the handful of slanderous remarks and insults of that newspaper's editor in chief, Mr Zivko Kustic, especially since we feel that they indicate more about their source than about their addressee. We therefore pass on the words: "And whosoever shall say to his brother 'Gravel' shall be accountable to the Great Council. And whosoever shall call him 'lunatic' shall be accountable for that in the fires of hell."

But certainly those thoughts of Mr Kustic deserve attention which pertain to the relations of this society toward the religious communities, ideas which unfortunately are not only an example of falsification of the truth, but also a reflection of an anachronistic Christian consciousness which has not yet reconciled itself to the fact that the triumphalistic church is a thing of the past and that only a church which has renounced all political ambition and all partisanships however cleverly disguised can live successfully on our soil.

Insinuations and Hints

In his most recent commentary (GLAS KONCILA, No 13, 1981), in spite of the fact that he had previously protested the "transparent pamphleteering" of our press in its approach to religious and church topics, Mr Kustic has now found it convenient to protest the "affectedly serious approach to the phenomenon of religion and the church," which he does in a manner which must perplex every well-intentioned reader. After proclaiming me the person principally responsible for that approach, the esteemed editor in chief attributed to me without hesitation the intention of allegedly using the permanent department on religion in SEDAM DANA to "evangelize and catechize" the readership! Truly clever and deserving of utter contempt. Especially since Mr Kustic at the same time feigns concern for the ideological purity of Marxism, and tries to denounce me to the authorities because I do not write against religion, that is, do not write about abolishing religion. Perhaps someone might be taken in, he opines, and might commit

a sectarian outburst such as would immediately become "evidence" in the writing of Mr Kustic that this society is oriented against religion (in spite of and in the face of the constitutional and legal proclamations).

Since the only thing he ever has on his mind is to prove the truthfulness of that very thesis, he goes on to draw this conclusion: If VJESNIK does not write against religion (he is by no means willing to admit that it writes only against its use for political purposes!), that is, if it does not advocate the abolishing of religion, then it is obvious that this kind of writing has been rigged so as to fool the public and to divide and subsequently destroy the church. According to him, this would supposedly be a wiser tactic which the party later thought up so as to carry thirsty believers over the water! Again clever and deserving of utter contempt.

So, in order to "bolster" his line of argument, Mr Kustic asserts that I certainly have a "firm and assured backing" and that I am "authorized and have been given assurances" for playing this game behind the scenes; otherwise, according to him, I would long since have been unsuccessful with articles of this kind. After all, as he would have it, the rule (and not a sectarian outburst!) in this country is to expel people from the party even for a thing like listening to a concert in a church. He therefore takes satisfaction in nailing to the pillar of shame this kind of ethics on the part of the party and then of this society as well.

What really is one to say about a Christian who encourages others to be hostile only because he needs this in order to prove his outdated political and ecclesiastical theses? Who acknowledges only that Marxism and only that social practice whose intentions are antireligious, while he does not acknowledge a Marxism and social reality whose intentions are not such or by all means he portrays them as hostile? What is one to say about a priest who strives in every way to divide people into Catholics and those who are not, into theists and atheists, even though it is a fact that the council has clearly stated that such a division (which always aims at discrimination) is "against God's intention" and in spite of the fact that that kind of division is unconstitutional in our society and therefore unacceptable regardless of where it comes from?

Intentions Opposed to the Regime

Perhaps it is best to let him speak for himself. In the commentary we have already mentioned Mr Kustic takes pains inter alia to be the first to publicly refer to certain Zagreb theologians as "leftwing Catholics," doing so only in order to be able to show scorn for them and to be able to openly bear witness to his radical rightwing orientation (to whom!), without actually coming out and saying so. So that there might be no mistake, we should mention that he refers to those "leftwing Catholics" also as "proregime Catholics" (certainly with loathing!). He obviously wants his opposition to the regime to be known (by no means does he fall in the category of "uncommitted Catholics"), which in practice means nothing else than rejection of all the fundamental values of our society.

It is worth saying a few words in this connection about Mr Kustic's remark that in the public press I act on behalf of those theologians (which, as he puts it, he finds harder to bear than their proregime orientation?). Because not infrequently I quote the ideas of some of them. First of all, I do not do this because I represent certain theologians as against others, as the esteemed editor states, but in order to show how Ivko Kustic and certain prelates in the Catholic Church in Croatia (in spite of the authority which they have) are not the only pulse of that church and the only spirit of that church and to demonstrate that disputing them is not to dispute the Catholic Church in Croatia, much less religion, as the esteemed editor in chief would like to have it in his commentaries. Thus his remark that I would like to divide the church is actually ridiculous, since he knows very well that our church has been divided for a long time already. Archbishop Frane Franic has indeed spoken frankly about that in an interview (CKEVA U SVIJETU, No 1, 1981), emphasizing that a "split in the clergy" had occurred in the church.

What the Esteemed Editor is Calling for

That there might not be any confusion about the spiritual habitat of Mr Kustic and those for whom he is only the echo in the press, he took pains to offer evidence both about his nationalism and also about his religious racism. For example, he did not forget to emphasize that the Croats are a "Catholic nation," which is clearly meant to state that no one can be a Croat if he is not a Catholic (which supposedly means that the opposite would also be true!), or at least not a "true" Croat.

In his commentary (GLAS KUNJUNA, No 12, 1981), which was entitled "The Church Is Not an Intermediary, But a Community," Mr Kustic simply forgot that he does not live in a "Christian society," but in a moral pluralistic and secularized world, and he quite seriously threatened both the state and society that they had better watch out how they behave toward the church, since otherwise "they will not find a common language" with it. In concrete terms this is supposed to mean: The government had better respect the rights of the church because they are above all other rights, and they enjoy that status because the church speaks "in the name of God the Creator and Revealer." So, if the government wants to get along with the church, it must absolutely grant the church all rights, and it had better not hanger it with any sort of obligation. For example: It must respect the constitution and the laws, as is the practice in all the emancipated states of the world. Yet Mr Kustic goes on to caution that the only laws which are valid for the church are those which it itself acknowledges and only those obligations are honored which it itself imposes on itself. The government must simply acknowledge this as a fact!

Is not this at the same time an appeal for that image of the church which the council abandoned 16 years ago and does it not mean contesting present social realities on behalf of "values" which have compromised themselves in the face of history?

If Mr Kustic claims that we have been unfair in presenting his ideas, we remind him of the words which he offered on 16 June 1974 at the Third Meeting of

Croatian Youth in Hagen, near Frankfurt. Speaking about the "painful and difficult destiny of our people(!)," Mr Rustic called upon his audience to understand "that we cannot meet every request and often we cannot interpret everything; why we do some things or why we do not. Within the framework of one church and one people we must build trust. If there is no trust among us at home and among you outside the homeland, then enemies of the church and people will operate very fruitfully in that situation." (n.b.: enemies of the church and people!) Then Mr Rustic said: "So, a man would like to tell you a great many things that he will not tell you. And I know that there are a great many things you would like to ask and won't ask and that there will be questions that we will not answer for one reason or another. I know that some of you, God forbid, will perhaps say: 'So, he came here and was afraid to say this or that.' Alright, I am afraid."

Though it would be interesting to hear what it was that Mr Rustic wanted to say and didn't dare (though there were many things that he did say), there is no doubt that he is very skillful in expressing what he has in the back of his mind, and we hope that we have not imputed anything to him which he truly would not hold to.

Thus his persistent embarrassment about the causes of the dispute between certain tendencies within the Catholic Church and the government in Croatia, which he pretends so persistently, seems like a farce.

7043

CSU: 2500/286

'DIFFERENTIATION' CONTINUES IN KOSOVO OPSTINAS

[Editorial Report] The following items were reported in the Pristina Albanian-language daily RILINDJA: On 10 June 1981 page 10 it was reported that 23 persons had thus far been expelled from the LC in Vitina Opstina, four persons had been given other party penalties, while three teachers from the "Boro i Ramiz" secondary school center were suspended for acting from nationalist and irredentist positions.

In addition, at the secondary school in Kijevo in Klina Opstina, one teacher was suspended, seven students expelled, and 16 others were given expulsion warnings. Also, one teacher was expelled from the party at the "Vuk Karadzic" elementary school in Klina because of ideological-political unsuitability.

The 2 July 1981 issue page 7 said that in Vucitrn Opstina 25 members had thus far been expelled from the LC, 29 had been given final warnings, and 17 given warnings. In addition, four basic LC organization secretaries had been changed, 22 workers fired, 20 others suspended, suspension procedures were pending for 14 other workers, and two teachers were fired; four factories and an elementary and secondary school were named as in need of more ideological-political differentiation.

In Podujevo Opstina, according to the 9 July 1981 issue page 7, 25 have been expelled from the LC, 25 students have been expelled from the Youth League for participating in the demonstrations, and 25 other students expelled from school.

The 12 July issue page 6 reported that 70 demonstration participants had been identified in Istok Opstina, 31 persons had been sentenced to 70 days in prison, two received 30-day sentences, and one a 15-day sentence. Six professors were suspended from the "Vellezerit Ribar" school center in Istok, 33 secondary school students expelled, and one teacher suspended from the "17 Nentori" elementary school. Mirko Gajic, a delegate in the Sociopolitical Chamber from the village of Crkolez, was given a final party warning for expressing Serb nationalist positions.

In Kacanik Opstina 24 persons have thus far been expelled from the party, and 34 from the Youth League, three teachers were fired, and five other teachers suspended for participating in or supporting the demonstrations.

The 27 June 1981 issue, page 12 reported that the three chambers of the Pristina Opstina Assembly, chaired by Borivoje Vasic, head of the sociopolitical chamber, adopted a plan for developing nationwide and civil defense for 1981-85 in Pristina Opstina, set up five new police posts in the Pristina area, and approved personnel shifts in the judgeships of two Pristina courts.

BRIEFS

PRISON FOR HOSTILE PROPAGANDA--The criminal council of the district court in Sarajevo, Judge Rizah Hadzic presiding, sentenced Behdzet (Saban) Salja (1954), student at the medical faculty in Sarajevo (from the village of Konjusevac near Podujevo [Kosovo] temporarily residing in Sarajevo), to 3 years in prison for hostile propaganda based on Article 133, paragraph 1, of the SFRY Criminal Code. During April and May of this year Salja acted from Albanian nationalist positions. In front of several people he called for anti-constitutional change in the socialist self-management social system and in a malicious and untruthful way presented the sociopolitical conditions in the country. [Excerpt] [Sarajevo OSLOBODJENJE in Serbo-Croatian 9 Jul 81 p 16]

SENTENCED FOR HOSTILE ACTION--Yesterday the criminal council of the Sarajevo district court, Judge Rizah Hadzic presiding, sentenced Perica Milisic (1960) from Sarajevo to 5 years in prison for hostile action, and Tomislav Saric (1957) from Livno to 2 years for hostile propaganda. During their stay in the FRG in the course of 1980 Milisic and Saric entered into contact with extremist fascist emigres and fell under their influence; Perica Milisic was included in preparations and training for terrorist actions against our representatives and representative offices abroad and against certain facilities in our country. In addition, Milisic and Saric acted in a hostile way among our citizens and several times, in a very crude way, expressed opposition to brotherhood and unity of our peoples and nationalities and other currents of our socialist revolution. [Text] [Sarajevo OSLOBODJENJE in Serbo-Croatian 18 Jul 81 p 16]

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